

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

**RICKY R. FRANKLIN**

**V.**

**UPLAND SOFTWARE, INC.**

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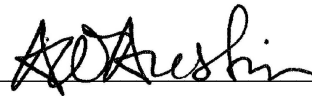
**1:18-CV-00236-LY-AWA**

**ORDER**

Before the Court is the parties' Joint Stipulation of Dismissal. (Dkt. No. 40). The parties stipulate and agree to voluntary dismissal of the action with prejudice. Federal Rule of Civil Procedure 41(a)(1)(A)(ii) allows a plaintiff to dismiss an action upon filing a stipulation of dismissal signed by all parties who have appeared. The parties have done so. "Stipulated dismissals under Rule 41(a)(1)(A)(ii) . . . require no judicial action or approval and are effective automatically upon filing." *Yesh Music v. Lakewood Church*, 727 F.3d 356, 362 (5th Cir. 2013).

The Court therefore **ORDERS** that the Clerk of Court **CLOSE** this action. All pending motions are **DENIED AS MOOT**.

SIGNED this 4<sup>th</sup> day of June, 2019.



ANDREW W. AUSTIN  
UNITED STATES MAGISTRATE JUDGE